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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,242	09/30/2003	Un Nyoung Sa	054358-5015	5386
9629	7590	12/13/2006	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			NGUYEN, THANH NHAN P	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/673,242	SA ET AL.	
	Examiner (Nancy) Thanh-Nhan P. Nguyen	<b>Art Unit</b> 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 August 2006.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 1-14 is/are allowed.  
 6) Claim(s) 15 is/are rejected.  
 7) Claim(s) 16 and 17 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 30 September 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claim 15 is rejected under 35 U.S.C. 102(b) as being anticipated by Jones (US 6,417,899).**

Jones discloses (fig. 2) a liquid crystal display device comprising:

- a first substrate (3) including a plurality of pixel electrodes (7)
- a second substrate (29) including a common electrode (15), a color filter film (23, 25, 27), and a black matrix (21)
- a liquid crystal material (11) formed between the first and second substrates
- an overcoat film (element '19' could be functioning as overcoat film) formed on the color filter film and the black matrix
- a polarization film (17) formed beneath the common electrode

### ***Allowable Subject Matter***

1. **Claims 1-14** are allowed since there is no prior art of record that teaches or suggests a liquid crystal display and a method of making thereof comprising a relationship of various elements as claimed with the specific allowable subject matter cited in the following claims:

Claims 1-4:

- a passivation film formed on the transparent insulating substrate including the source and drain electrodes and the data line
- a polarizing film formed on the passivation film
- a pixel electrode formed on at least the polarizing film, wherein the polarizing film and the pixel electrode extend completely over the data line, and the polarizing film contacts the passivation film

Claims 5-14:

- a black matrix formed on the transparent insulating substrate
- a color filter layer formed on an upper surface of the black matrix
- a polarizing film formed on the color filter layer
- a common electrode formed on the polarizing film, wherein the polarizing film is parallel to the transparent insulating substrate

2. **Claims 16 and 17** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 16 and 17 are allowed since there is no prior art of record that teaches or suggests a liquid crystal display comprising a relationship of various elements as claimed with the specific allowable subject matter cited in the following claims:

Claim 16:

- a substrate including a common electrode, a color filter film, and a black matrix
- an overcoat film formed on the color filter film and the black matrix

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- a polarizing film formed beneath the common electrode
- wherein an upper surface of the overcoat film is flat

Claim 17:

- a substrate including a common electrode, a color filter film, and a black matrix
- an overcoat film formed on the color filter film and the black matrix
- a polarizing film formed beneath the common electrode
- wherein the overcoat film directly contacts the color filter film, the black matrix, and the polarization film

***Response to Arguments***

Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to (Nancy) Thanh-Nhan P. Nguyen whose telephone number is 571-272-1673. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on 571-272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

(Nancy) Thanh-Nhan P Nguyen  
Examiner  
Art Unit 2871

TN



David Nelms  
Supervisory Patent Examiner  
Technology Center 2800